



OFFICE OF  
INSURANCE COMMISSIONER

BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF WASHINGTON

In the Matter of	)	
	)	No. D 2004- 71
<b>EVANGELICAL LUTHERAN GOOD</b>	)	
<b>SAMARITAN SOCIETY</b>	)	STIPULATIONS, FINDINGS,
	)	
Sioux Falls, SD	)	CONSENT AND ORDER
	)	

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The EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY is a charitable organization and has been issuing charitable gift annuities in the State of Washington, and is therefore governed by Title 48 RCW.

This administrative action is based on allegations by the Commissioner's staff that the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY violated RCW 48.38010(10), by the activity described in the following numbered paragraphs. To resolve only the issues identified in the following numbered paragraphs, to eliminate the necessity for a hearing, and as a negotiated settlement of the Commissioner's allegations, the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY has voluntarily executed the Consent to Order contained herein and stipulates to the entry of the Order contained herein.

**STIPULATIONS**

1. RCW 48.38.010(10) requires each charitable organization holding a Certificate of Exemption to annually file with the Insurance Commissioner an annual statement, the statement of a qualified actuary, and pay an annual filing fee on or before March 1<sup>st</sup> of each year.
2. The EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY did not file its 2003 statement of a qualified actuary until March 15, 2004, 14 days late.

**FINDINGS**

1. The Commissioner finds that the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY by and through the conduct described above, has violated RCW 48.38.010(10) RCW.

Stipulations, Findings, Consent and Order-1

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2. The Commissioner further finds that RCW 48.38.050 authorizes a fine in an amount not more than \$10,000 for violations of Chapter 48.38 RCW.

### CONSENT TO ORDER

Based on the above and foregoing stipulations, the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY consents to pay a fine in the amount One Thousand Dollars and 00/100 (\$1,000).

Based on the above and foregoing stipulations, the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY voluntarily consents to the following order to resolve the issues and alleged conduct described herein.

Based on the above and foregoing stipulations, the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY acknowledges its duty and obligation to fully comply with the applicable laws and regulations of the State of Washington.

Signed this 29th day of April 2004.

**EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY**

by:

David J. Hylton  
Title: President & CEO

### ORDER

IT IS ORDERED that pursuant to RCW 48.38.050 and the foregoing Stipulations, Findings, and Consent to Order, the EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY pay a fine in the amount of One Thousand Dollars and 00/100 (\$1,000) for the activity described in the foregoing Stipulation.

IT IS FURTHER ORDERED that in the event that this sum is not paid within 30 days from the date of this order, the sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General, pursuant to RCW 48.05.185.

SIGNED AND ENTERED THIS 4<sup>th</sup> day of May 2004.

James T. Odiorne  
James T. Odiorne

Deputy Insurance Commissioner